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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/148,615	09/04/1998	BENJAMIN KILGORE	MS-78	3633

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LYON & HARR, LLP
300 ESPLANADE DRIVE, SUITE 800
OXNARD, CA 93036

EXAMINER

CHEN, TE Y

ART UNIT	PAPER NUMBER
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2171

DATE MAILED: 11/12/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.
09/148,615

Applicant(s)
Kilgore

Examiner
T. Chen

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2171



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Sep 3, 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-23 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

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DETAILED ACTION

1. This communication is responsive to the supplemental amendment under 37 CFR 1.111 filed on 09/13/2002 (paper # 18).

2. Claims 2-23 remain for examination.

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 2-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maggioncalda et al. (U.S. Patent No. 6,012,044) and in view of Rosenberg (U.S. Patent No. 6,061,004).

5. As to claims 2-6, Maggioncalda et al. disclosed a display device as claimed, including the followings:

a) a query grid having at least one field and associated criteria and being transferred from server to a remote client through a communications interface in respond to client's request [col. 6, lines 31-37; Fig. 1];

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b) a plurality of adjustable interface options on client display device for adjusting associated criteria of the at least one associated field [Fig. 4], wherein the adjustable interface options comprise: 1) a plurality of slider filters with multiple boundaries and a plurality of controls for adjusting criteria of associated fields in real time [Fig. 5b]; 2) the interface tool having slider filters, input boxes and radio buttons [Fig. 4]; 3) the slider filter dynamically coupled to an input box so that the slider filter and the input box dynamically change in response to a user's selection of interface options [Fig. 9; Fig. 12 A-B; col. 2, lines 45-51].

6. Maggioncalda et al. did not explicitly disclosed that the interface tool having drop-down menus;

7. However, it is a common programming practice to have drop-down menus in a interface tool (for example see Rosenberg's col. 39, lines 55-60). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include drop-down menu as an interface tool to help and visibly facilitate user interaction with a constrained set of decision variables.

8. As to claims 7-23, the steps in the claimed method are deemed to be made obvious by the functions of the application structure of the claims 2-6 in the combination discussed above, hence were rejected for the same reasons.

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Response to Arguments

9. Regarding Applicant's arguments with respect to the 103 rejection, the examiner disagrees with applicants' assertion that the prior art on record, including Maggioncalda et al., fails to disclose or suggest: "appreciate the advantages of transmitting only a subset of all available data".

10. In response to the argument, the examiner points out that applicants also fail to claim "the advantages of transmitting only a subset of all available data".

The citations of all independent claims 2, 7 and 19 of applicants' are as follows:

claim 2, lines 4-5 (as filed on 03/13/2002) cited that "the query grid is transmitted from the server to a remote client through a communications interface in response to a communication from the client to the server".

claim 7, lines 3-5 (as filed on 10/10/2001), cited that "transmitting a plurality of data packets comprising associated data values from a host computer to a remote client computer in response to an initial query by the client computer".

claims 19, lines 3-4 (as filed on 12/06/1999), cited that "transmitting a set of pricing data from a server computer to the client computer in response to an initial query from the client computer".

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11. Regarding applicants' argument "the advantages of transmitting only a subset of all available data", since none of the above claims define or suggest the concept of a subset of all available data nor the advantages of the transmitting, as such, it is not teach away from Maggioncalda et al.

12. Applicants' declarations filed on 09/03/2002 (Exhibit B and Exhibit C) and 03/13/2002 (Exhibit A) under 37 CFR 1.131 have been fully considered but are ineffective to overcome the Maggioncalda reference.

13. The evidence submitted is insufficient to establish a reduction to practice of the invention in this country or a NAFTA or WTO member country prior to the effective date of the reference, see MPEP §715. While the attached Exhibit A represents a computer E-mail dated Sept. 19, 1996, for the final build of LoanCalc; the Exhibit B represents a notebook entry dated Mar. 27, 1995, for a set of predefined price, rate, term, monthly payment, total payment tables; and Exhibit C represents a CarPoint Calculator User's Guide dated Aug. 20, 1996. These Exhibits themselves are not evidence that provide a showing of the facts in character and weight, and thus are not considered to fully embody the invention as described and claimed. The examiner has no means of verifying that the product of the declared e-mail build (or the contents for the tables of the declared notebook entry, or the declared User's Guide), actually contains the claimed

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programs of applicants' invention, and were functional as alleged with only the build file name, tables, and user's guide as disclosed by applicants.

Conclusion

14. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Chen whose telephone number is (703) 308-1155. The examiner can normally be reached Monday through Friday from 7:30 A.M. to 4:30 P.M.

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16. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached at (703) 308-1436. The fax phone numbers for this group are: (703) 746-7238 (After Final Communication); (703) 746-7239 (Official Communications); and (703) 746-7240 (For Status Inquiries, Draft Communication).

17. Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Susan Chen

Nov. 07, 2002


SAFET METJAHIC
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100